

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STRIDER ROGNIRHAR,)	8:08CV51
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
TERRY S. SOUTHERN, or the)	
woman formerly known as such, and)	
TIMOTHY ELARIO,)	
)	
Defendants.)	

This matter is before the court on several miscellaneous Motions filed by Plaintiff. As set forth below, all of these Motions are denied.

Motions Relating to Default Judgment Against Defendant Southern

On October 15, 2008, the court entered a Memorandum and Order permitting Defendant Terry S. Southern (“Southern”) to answer or otherwise plead no later than November 4, 2008. (Filing No. [24](#).) On October 31, 2008, Southern filed an Answer. (Filing No. [27](#).) In light of Southern’s Answer, the court denied Plaintiff’s request for default judgment against Southern on November 6, 2008. (Filing No. [30](#).) Now, Plaintiff again requests default judgment against Southern (filing no. [38](#)), requests a reason for the court’s November 6, 2008 Order (filing no. [39](#)), and requests a copy of Southern’s Answer (filing no. [41](#)).

As already stated, the court denied Plaintiff’s previous Motion for Default Judgment because Southern answered in accordance with the court’s Memorandum and Order. No further explanation is necessary and default judgment is not appropriate. To the extent Plaintiff did not receive a copy of Southern’s Answer, the court will direct the Clerk of the court to send a copy to Plaintiff. Plaintiff’s Motions

relating to default judgment against Southern (filing nos. [38](#), [39](#), and [41](#)) are otherwise denied.

Other Pending Motions

Plaintiff also seeks a copy of the court's Local Rules. (Filing No. [37](#).) The statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment. [28 U.S.C. § 1915](#); *see also Haymes v. Smith*, [73 F.R.D. 572, 574 \(W.D.N.Y. 1976\)](#) ("The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant's action.") (citing *Tyler v. Lark*, [472 F.2d 1077 \(8th Cir. 1973\)](#), other citations omitted). If Plaintiff requires a copy of the court's Local Rules, he should contact the Clerk of the court to determine the proper method of requesting and paying for it. Plaintiff's Motion for Court's Local Rules (filing no. [37](#)) is denied. Plaintiff has also filed an Objection to Delays (filing no. [34](#)), in which Plaintiff complains that the court's delays in responding to his many motions are "substantial." The Objection does not seek any relief from the court and it is therefore denied.

Also pending is Plaintiff's Motion for Summary Judgment, in support of which Plaintiff filed a Brief and Affidavit. (Filing Nos. [31](#), [32](#), and [33](#).) Defendants have not responded to the Motion. However, on the court's own motion, Defendants shall have until May 13, 2009 to file any affidavits and/or a response to Plaintiff's Motion for Summary Judgment. In the event that Defendants do not respond, the court will rule on the Motion without further notice.

IT IS THEREFORE ORDERED that:

1. Defendants shall have until **May 13, 2009** to file any affidavits and/or a response to Plaintiff's Motion for Summary Judgment. In the event that Defendants

do not respond, the court will rule on the Motion without further notice.

2. All other pending Motions and Objections filed by Plaintiff are denied.

3. The Clerk of the court shall send to Plaintiff a copy of Defendant Terry S. Southern's Answer (filing no. [27](#)) at Plaintiff's last known address.

April 13, 2009.

BY THE COURT:

s/Richard G. Kopf
United States District Judge